

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**CHERISH D. SHERRILL**

**PETITIONER**

**v.**

**Criminal No. 1:12cr33-LG-RHW-1  
Civil Action No. 1:13cv426-LG**

**UNITED STATES OF AMERICA**

**RESPONDENT**

**CERTIFICATE OF APPEALABILITY**

A final order adverse to the applicant having been filed in the captioned habeas corpus case, in which the detention complained of arises out of process issued by a state court or a proceeding pursuant to 28 U.S.C. § 2255, the court, considering the record in the case and the requirements of 28 U.S.C. § 2253, Rule 22(b) of the Federal Rules of Appellate Procedure, and Rule 11(a) of the Rules Governing Section 2254 Cases in the United States District Courts, hereby finds that:

  X   A Certificate of Appealability should not issue. The applicant has failed to make a substantial showing of the denial of a constitutional right.

       A Certificate of Appealability should issue for the following specific issue(s):

**SO ORDERED AND ADJUDGED** this the 6<sup>th</sup> day of March, 2014.

s/ *Louis Guirola, Jr.*  
LOUIS GUIROLA, JR.  
CHIEF U.S. DISTRICT JUDGE